

# AVIATION TECHNOLOGIES LTD.

Executive Field Office: 9084 - East Arbab Court, Tucson, Arizona, 85747

Telephone: (520) 574- 2262, email: atlnv@aol.com

Physical Base of Operations: Tonopah Airport, P.O. BOX: # 73, Tonopah, Nevada 89049

Aviation Technologies Ltd., "ATL" PRINCIPAL PLACE OF BUSINESS: TONOPAH AIRPORT, NYE COUNTY, NEVADA

**Robert Alan Kemp**

[ D/B/A: ]

225 494

## NEVADA CENTRAL RAILROAD

VIA - USPS and Emergency Fax Filing

(Wednesday), August 5, 2009

The Honorable Charles D. Nottingham, Chairman - STB.

The Honorable Ann K. Quinlan, Acting Secretary

Office of the Chairman and Secretary

Surface Transportation Board

395 - E Street, SW.

Washington, DC 20024

**EMERGENCY FAX FILING: 202-245- 0458 / - 0461 / - 0464**

**RE: Docket No. (FD-35261) LINWOOD INDUSTRIAL LEAD, GALESBURG, IL**

**[ NOTICE ]**

**NEVADA CENTRAL RAILROAD**

**-- PRE-NOTICE OF CONSTRUCTION AND OPERATION --**

ENTERED  
Office of Proceedings

AUG - 5 2009

Part of  
Public Record

Dear Secretary Quinlan:

The attached PRE-NOTICE, refers to the Nevada Central Railroad [USC-10901- Construction and Operation Application] to be filed in not less then (6-Months Time from Today - August 5<sup>th</sup>, 2009), or therefore on or after: February 1<sup>st</sup>, 2010 within Docket No. FD-35261, by: Robert Alan Kemp, D/B/A: NEVADA CENTRAL RAILROAD. Please Note, that NCR may also file an EXEMPTION to the Board from the Requirements of USC-10901 for Construction and Operation of the LINWOOD INDUSTRIAL LEAD in Galesburg, IL connecting the former MAYTAG MANUFACTURING and WAREHOUSE FACILITIES located in Galesburg, IL, to the [BNSF Mainline as part of the United States National Railroad Transportation System], enabling NCR to Receive Unfinished Materials for New Manufacturing, as well as Conventional Railcars for Modification/Upgrade and Repair, and as necessary to Deliver Finished Products in the form of HIGH SPEED FREIGHT & PASSENGER RAILCAR'S and RELATED PRODUCTS supporting NCR: HEAVY HIGH SPEED FREIGHT and PASSENGER OPERATIONS, as well as ALL US and INTERNATIONAL Class-I Railroad Operations.

A hard copy of this NOTICE is also enclosed via USPS, to permit circulation of same to the Board and Staff. Please feel free to contact me personally if You have any Questions or Comments.

Very truly yours,

Robert Alan Kemp (520) 574- 2262 rnkiv@aol.com

D/B/A: **NEVADA CENTRAL RAILROAD**

cc: Mr. John T. Digilio, Jr., Vice Chairman - Director/President,

Mr. Joseph Anthony McNulty, III - Company Director,

Nevada Central Railroad, Corporation

Nevada Central Railroad, Corporation

Enclosures: Notice Certification of Service

**BEFORE THE  
SURFACE TRANSPORTATION BOARD**

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**STB - FINANCIAL DOCKET NO: 35261**

**Nevada Central Railroad  
-- PRE-NOTICE OF CONSTRUCTION AND OPERATION --  
IN KNOX COUNTY, ILLINOIS  
( LINWOOD INDUSTRIAL LEAD )**

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**NOTICE**

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**- NEVADA CENTRAL RAILROAD -  
(FACTUAL BACKGROUND AND SUMMARY OF ACTION BY PETITIONER)**

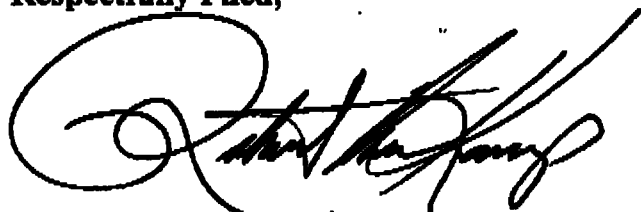
**STATEMENT OF FACTS**

1. ROBERT ALAN KEMP, D/B/A: NEVADA CENTRAL RAILROAD, hereafter ("NCR") as of Today, August 5<sup>th</sup>, 2009, is in the process of constructing the (NCR-ByPass-™) over the right of way previously identified and lawfully noticed and described for Construction and Operation by Nevada Central Railroad with the Surface Transportation Board on July 14<sup>th</sup>, 2003 identified and referenced to the Surface Transportation Board, hereafter ("STB" or the "Board"), and the STB Section of Environmental Analysis, hereafter ("SEA"), referenced under Finance Docket No. 34382. The Linwood Industrial Lead, described herein for Construction, will directly support the operations of to the (NCR-By-Pass-™, specifically the initial operations of the NCR: North-West, North-East, and South Fork's), as previously described as background information within the NCR Notice of Operation and Acquisition to the Board within STB Docket Number: 34773, for Heavy High Speed

**Mainline Railroad Operations within the State of Nevada, with Future Extensions into California, Oregon, Washington State, and (Canada), as well as to the Southwest in Arizona, New Mexico, Texas, and (Mexico). Moreover NCR will eventually upgrade and then operate an additional Class-III, 22-Mile Main Line of rail in Washoe County, NV, as well as in Lassen County, CA, as a virtual: Pollution-less Heavy High Speed Mainline Railroad System. The current continuing operation of the Class - III, 220' Main Line at Flanigan, as well as the Re-Construction of the Appx: 21+ Mile Balance of a portion of the NCR - MODOC ROUTE, will be permanently sustained for a Minimum Period of 30-Years by revenues generated by Customers for which ATL has already contracted for the provision of Transportation Services constituting USC-10901 Interstate Commerce by Rail, to be either Located Adjacent To, or Connected To said 220' Main Line Rail System, and then additional customers with it's 21+ Mile Re-Constructed Rail back to Wendel, California.**

**2. Therefore, pursuant to 49 C.F.R. 1105.10(a), NCR is hereby providing lawful NOTICE that in six months time the Applicant, NEVADA CENTRAL RAILROAD, anticipates filing its Application in Finance Docket No. 35261, NEVADA CENTRAL RAILROAD - CONSTRUCTION AND OPERATION IN KNOX COUNTY, state of ILLINOIS. Please see the attached (3-Page): NOTICE OF CONDEMNATION CONCERNING NCR'S ACQUISITION OF THE FORMER MAYTAG MANUFACTURING AND WAREHOUSE FACILITIES IN GALESBURG, IL, FOR WHICH NCR WILL SITE THE CONSTRUCTION OF THE LINWOOD INDUSTRIAL LEAD.**

**Respectfully Filed,**



**Robert Alan Kemp, D/B/A: NEVADA CENTRAL RAILROAD**

**(520) 574- 2262**

**email: [ncrnv@aol.com](mailto:ncrnv@aol.com)**

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Aviation Technologies Ltd., "ATL" PRINCIPAL PLACE OF BUSINESS: TONOPAH AIRPORT, NYE COUNTY, NEVADA

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Robert Alan Kemp

[ D/B/A: ]

## NEVADA CENTRAL RAILROAD

VIA - USPS and Emergency Fax Filing

(Wednesday), August 5, 2009

The Honorable Charles D. Nottingham, Chairman - STB.

The Honorable Ann K. Quinlan, Acting Secretary

Office of the Chairman and Secretary

Surface Transportation Board

395 - E Street, SW.

Washington, DC 20024

EMERGENCY FAX FILING: 202-245- 0458 / - 0461 / - 0464

RE: Docket No. (FD-35261) LINWOOD INDUSTRIAL LEAD, GALESBURG, IL

### NOTICE

#### NEVADA CENTRAL RAILROAD

-- PRE-NOTICE OF CONSTRUCTION AND OPERATION --

### CERTIFICATE OF SERVICE

I, Robert Alan Kemp certify that on this 5<sup>th</sup> day of August, 2009, that I made service of the attached original NCR: [NOTICE], upon the Surface Transportation Board, (STB) directly via EMERGENCY FAX FILING, and by United States First Class Mail with prepaid postage to: Surface Transportation Board, 395 - E. Street SW, Washington, DC 20024



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Robert Alan Kemp, D/B/A: NEVADA CENTRAL RAILROAD  
(520) 574- 2262 [ncrnv@aol.com](mailto:ncrnv@aol.com)

# **NEVADA CENTRAL RAILROAD**

P.O. BOX: # 73, Tonopah, Nevada 89049

C/O: NCR - Arizona Field Office: 9084 - East Arbab Court, Tucson, Arizona, 85747

Nevada Central Railroad, "NCR" PRINCIPAL PLACE OF BUSINESS: TONOPAH AIRPORT, NYE COUNTY, NEVADA, & PIMA COUNTY, ARIZONA

**RE: CONDEMNATION** former Maytag Manufacturing & Warehouse Facilities, Galesburg, IL June 30, 2009

**Stuart Lichter, President,**

**Industrial Realty Group**

C/O: 12214 - Lakewood Blvd.

Downey, CA 90242

By Voice: (562) 803- 4761 Facsimile: (562) 803- 3789

By: Certified U.S. Mail: 7007-0710-0002-3153-7506

**Tower Investments, Inc.**

**Matthew Marks, Sr. Executive VP.**

**Tower Investments, LLC.**

C/O: 250 - W. Main Street, Ste: 101

Woodland, CA 95695

By Voice: (530) 668- 1000 Facsimile: (530) 666- 5574

**Seth Curran, Project Manager,**

**Tower Investments, LLC.**

C/O: 250 - W. Main Street, Ste: 101

Woodland, CA 95695

By Voice: (530) 668- 1000 Facsimile: (530) 666- 5574

sethcurran@towerinv.com

**Peter Yanson, Sr. Vice President,**

**Quadrelle Realty Services, LLC.**

C/O: 1605 - Adler Circle, Suite: C

Portage, Indiana 46368

By Voice: (219) 764- 2214 Facsimile: (219) 764- 2215

pyanson@msn.com

CC: Honorable Anne K. Quinlan, acting Secretary, **SURFACE TRANSPORTATION BOARD**

395 E - Street, S.W., Washington, D.C. 20423 Voice: (202) 245- 0309 Fax: (202) 245- 0464

Notice and Certificate of Publication: NEVADA CENTRAL RAILROAD: [FD-35261]

## **OFFICIAL NOTICE OF CONDEMNATION**

**TO: Mr. Stuart Lichter, Legal Owner/Representative for (IRG of Galesburg).**

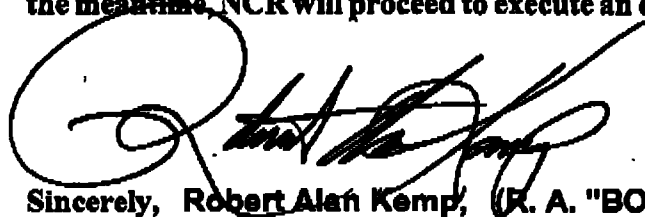
**RE: CONFIRMATION AND OFFICIAL NOTICE OF CONDEMNATION BY RAILROAD FOR REAL PROPERTY AND MATERIAL**

**Dear Mr. Lichter,**

1. Please find this letter as official confirmation of previous notice of condemnation of specific real property and related materials and equipment by NEVADA CENTRAL RAILROAD, relating to the historic Maytag Manufacturing and Warehouse Facilities in Galesburg, IL., in the form of specifically identified Real/Personal Property located at: 1801 - Monmouth Blvd., Galesburg, IL., and 1000 - South Linwood Road, Galesburg, IL.

2. ("NCR"), will construct its (Railroad Right of Way and Maintenance and Rail Car Manufacturing Facilities) on the subject Properties as previously identified, in order to further the execution and Transportation of Interstate Commerce by Rail, as specified within U.S. 10101, and U.S. 10901.

3. NCR- Staff have already confirmed with Tower Investments, LLC., and , Quadrelle Realty Services, LLC., that the subject Properties are available for Sale. If You have any questions or comments regarding this Condemnation Action by NCR, please forward same in writing without delay to the address listed above, C/O: 9084 - East Arbab Court, Tucson, AZ 85747, and we will immediately respond. In the meantime, NCR will proceed to execute an engineering survey and appraisal of the subject properties.



Sincerely, Robert Alan Kemp, (R. A. "BOB" KEMP), Chairman & CEO.,

AVIATION TECHNOLOGIES LTD.-TM (ATL),  
NEVADA CENTRAL RAILROAD-TM (NCR),  
D/B/A: GREAT BASIN RAILROAD-TM (GBR),  
D/B/A: NEVADA NORTHERN RAILWAY-TM (NNR).

cc: INT. DATA FILE.

**Matthew Marks, Sr. Executive VP.**

**Tower Investments, LLC.**

C/O: 250 - W. Main Street, Ste: 101

Woodland, CA 95695

By Voice: (530) 668- 1000 Facsimile: (530) 666- 5574

**Seth Curran, Project Manager,**

**Tower Investments, LLC.**

C/O: 250 - W. Main Street, Ste: 101

Woodland, CA 95695

By Voice: (530) 668- 1000 Facsimile: (530) 666- 5574

sethcurran@towerinv.com

**Peter Yanson, Sr. Vice President,**

**Quadrelle Realty Services, LLC.**

C/O: 1605 - Adler Circle, Suite: C

Portage, Indiana 46368

By Voice: (219) 764- 2214 Facsimile: (219) 764- 2215

pyanson@msn.com

Honorable Anne K. Quinlan, acting Secretary,

**SURFACE TRANSPORTATION BOARD**

395 E - Street, S.W., Washington, D.C. 20423

Voice: (202) 245- 0309 Fax: (202) 245- 0464

Notice and Certificate of Publication:

NEVADA CENTRAL RAILROAD: [FD-35261]

## SENDER: COMPLETE THIS SECTION

- Complete Items 1, 2, and 3. Also complete Item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

## 1. Article described to:

Stuart Lichter, President  
Industrial Realty Group  
C/o: 12214 - Lakewood Blvd.  
Downey, CA 90242

## COMPLETE THIS SECTION ON DELIVERY

## A. Signature

X

☐ Agent☐ Addressee

## B. Received by (Printed Name)

## C. Date of Delivery

D. Is delivery address different from Item 1? ☐ YesIf YES, enter delivery address below: ☐ No

## 3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☐ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.☐ Yes2. Article  
(Transit)

PS Form 3811, February 2004

Domestic Mail (Priority)

10698-02-00-10

UNITED STATES POSTAL SERVICE CA. FAX

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• Sender: Please print your name, address, and ZIP+4 in this box •

NEVADA CENTRAL RAILROAD  
ARIZONA FIELD OFFICE

9084 - E. Arbab Ct

Tucson, Arizona 85747

ATTN: ROBERT KEMP

